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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/565,458

01/20/2006

Patrick Decouvelaere

PAT2

8090

7590

05/16/2008

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EXAMINER

STINSON, FRANKIE L

ART UNIT

PAPER NUMBER

1792

MAIL DATE

DELIVERY MODE

05/16/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/565,458	<b>Applicant(s)</b> DECOUVELAERE, PATRICK	
	<b>Examiner</b> /FRANKIE L. STINSON/	<b>Art Unit</b> 1792	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 05 March 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 15-34 is/are pending in the application.
- 4a) Of the above claim(s) 25-34 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 15-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

Art Unit: 1792

1. Applicant's election with traverse of GROUP I, claims 14-24 in the reply filed on March 5, 2008 is acknowledged. The traversal is on the ground(s) that the inventions are so linked as to form a single inventive concept. This is not found persuasive because the rolling up station and speed controller are not required for patentability with respect to the claims of GROUP I.

The requirement is still deemed proper and is therefore made FINAL.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 15, 16, 18 and 20-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson et al. (U. S. Pat. 3,055,645).

Re claims 15, and 24, Anderson is cited disclosing a method for treating a fabric, including

de-sized fabrics and previously bleached hydrophilic fabrics, wherein the fabric includes threads oriented in a selected machine direction (col. 1, lines 10-11), wherein the threads oriented in the selected machine direction are made of natural or artificial cellulose fibers, and wherein the method comprises the steps of:

applying a metal peroxide (col. 7, line 72 thru col. 8, line 2) to the fabric so that the fabric is impregnated with the metal peroxide, while leaving the fabric free and without tension in the selected machine direction, for a period of time necessary for

swelling (col. 2, lines 7-11) of the fibers oriented in the selected machine direction and for modification of the fibers;

passing the impregnated fabric in air (see fig. 1) , while leaving the fabric relaxed and without tension in the selected machine direction, swelling the threads oriented in the selected machine direction,

at least one rinsing of the fabric (col. 7, line 21)

at least one washing of the fabric (as at 4); and

at least one squeezing of the fabric (as at 13, 14; 41, 42; 28, 29) that differs from the claim only in the recitation of causing the threads to assume a spring shape, after shrinkage. Nonetheless, given that the same features are provided as instantly claimed, the shrinkage is deemed to be inherent. Re claims 16 and 22, Anderson discloses the fabric as woven. Re claims 20, Anderson discloses the artificial fiber (nylon, col. 1, lines 35-36). Re claims 21 and 23, note that Anderson recognizes "other fibers" and "other synthetic material" (col. 1, line 35).

4. Claims 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson et al. in view of Germany'724 (Germany 2 300 724).

Claim 17 defines over the Anderson only in the recitation of the 14-25° Baume'.

Germany'724 disclose the Baumes as claimed. it therefore would have been obvious to one having ordinary skill in the art to modify the arrangement of Anderson, to employ the Baume' as taught by Germany724, for the purpose of enhancing the treatment process.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. In Abel, note the treatment process..

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to FRANKIE L. STINSON whose telephone number is (571) 272-1308. The examiner can normally be reached on M-F from 5:30 am to 2:00 pm and some Saturdays from approximately 5:30 am to 11:30 am.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr, can be reached on (571) 272-1700. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

fls

/FRANKIE L. STINSON/  
Primary Examiner, Art Unit 1792